

**REMARKS**

Claims 7-13, 16-20, 27-33, and 36-39 are pending in this application. Claims 16, 19, 20, 36, 38, and 39 have been allowed. Claims 7-13, 17, 18, 27-33, and 37 stand rejected. Claims 1-6, 14, 15, 21-26, 34, and 35 have been canceled. Claims 8 and 28 are newly independent. No additional fee is due for newly independent Claims 8 and 28.

The rejection of Claims 8-13, 17, 18, 27-33, and 37 under 35 U.S.C. § 112, second paragraph is respectfully traversed.

Applicants submit that Claims 8-13, 17, 18, 27-33, and 37 particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Accordingly, Applicants submit that Claims 8-13, 17, 18, 27-33, and 37 are definite. Specifically, Claims 8 and 28 are newly independent. Claim 9 has been amended to provide proper antecedent basis for terminology used in the claim. Claims 10-13, 17, 18, 27, 29-33, and 37 have been amended to distinguish the auxiliary side limitations from the solenoid side limitations. For the reasons set forth above, Applicants respectfully request that the Section 112 rejections of Claims 8-13, 17, 18, 27-33, and 37 be withdrawn.

The rejection of Claims 7, 9, and 27 under 35 U.S.C. § 102(b) as being anticipated by Sharaf et al. (U.S. Patent No. 5,652,416) is respectfully traversed.

Sharaf et al. describe an electric transfer switch (30) that includes a housing (40) which includes a linear actuator (44), a plurality of magnetic pieces (58), and a plurality of limit switches (48) mounted on a cover (42). Notably, Sharaf et al. do not describe a plurality of coplanar pairs of limit switches.

Claim 7 recites “a method for fabricating an automatic transfer switch, said method comprising the steps of providing a main body including a solenoid side...and attaching a solenoid side limit switch assembly including a plurality of coplanar pairs of limit switches and a solenoid side mounting plate to the solenoid side of the main body.”

Sharaf et al. do not describe nor suggest a method for fabricating an automatic transfer switch, wherein the method includes the steps of providing a main body including a solenoid side, and attaching a solenoid side limit switch assembly including a plurality of

coplanar pairs of limit switches and a solenoid side mounting plate to the solenoid side of the main body. Specifically, Sharaf et al. do not describe a method for fabricating an automatic transfer switch, wherein the method includes the step attaching a solenoid side limit switch assembly including a plurality of coplanar pairs of limit switches and a solenoid side mounting plate to the solenoid side of the main body. Rather, in contrast to the present invention, Sharaf et al. describe a plurality of limit switches mounted to a cover. Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Sharaf et al.

Claim 9 depends from independent Claim 7. When the recitations of Claim 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claim 9 is likewise patentable over Sharaf et al.

Claim 27 recites “an automatic transfer switch comprising a main body comprising a solenoid side...and a solenoid side limit switch assembly comprising a plurality of coplanar pairs of limit switches and a solenoid side mounting plate, said solenoid side limit switch assembly mounted to said solenoid side of said main body.”

Sharaf et al. do not describe nor suggest an automatic transfer switch that includes a main body including a solenoid side, and a solenoid side limit switch assembly that includes a plurality of coplanar pairs of limit switches and a solenoid side mounting plate, the solenoid side limit switch assembly is mounted to the solenoid side of the main body. Specifically, Sharaf et al. do not describe an automatic transfer switch that includes a plurality of coplanar pairs of limit switches. Rather, in contrast to the present invention, Sharaf et al. describe a /plurality of limit switches mounted to a cover. Accordingly, for at least the reasons set forth above, Claim 27 is submitted to be patentable over Sharaf et al.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejections of Claims 7, 9, and 27 be withdrawn.

Claims 8, 10-13, 28-33 were indicated as allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph and to include the limitations of the base claim and any intervening claims. Claims 8 and 28 have been rewritten in independent form. Accordingly, Claims 8 and 28 are submitted to be in condition for allowance.

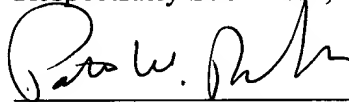
Claims 10-13 depend from independent Claim 7. When the recitations of Claims 10-13 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claims 10-13 are likewise in condition for allowance.

Claims 29-33 depend from independent Claim 27. When the recitations of Claims 29-33 are considered in combination with the recitations of Claim 27, Applicants submit that dependent Claims 29-33 are likewise in condition for allowance.

Claims 17, 18, and 37 were indicated as allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, second paragraph. Claims 17, 18, and 37 have been amended to overcome the rejections under 35 U.S.C. § 112, second paragraph. Accordingly, Claims 17, 18, and 37 are submitted to be in condition for allowance.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action with respect to all the pending claims is respectfully solicited.

Respectfully Submitted,



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